REMARKS

Claims 1-32 are currently pending in the application. Claims 1, 7 and 8 are amended and claims 20-32 are added. Support for the amendments to claims 1, 7 and 8 can be found on paragraphs [0070] and [0071] of the instant published application No. 2002/0178057. Support for the new claims 20-32 can be found on paragraphs [0019] – [0023], [0054], [[0056], [0069], [0074], [0075], [0096] and [0103] of the instant published application No. 2002/0178057. Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

35 U.S.C. § 102 Rejection

Claims 1-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by US Patent No. 6,029,195 to HERZ ("HERZ"). Applicants respectfully traverse this rejection for at least the following reasons.

Independent claim 1 recites, in pertinent part:

that the similarity factors of the advisee are not calculated with respect to all users for every individual recommendation request.

Independent claim 7 recites, in pertinent part:

that the system updates only similarity factors between neighboring users and an advisee when a new rating is entered for at least one advisee profile and utilizes an algorithm to determine a ranked matching list of the neighboring users.

Independent claim 8 recites, in pertinent part:

that the method determines the similarity factors between the advisee and the neighboring users only for the items of the selected item list.

Independent claim 1

In addition to the arguments made of record previously in this case (which are herein incorporated by reference), Applicant submits that HERZ fails to disclose or suggest that the similarity factors of the advisee are not calculated with respect to all users for every individual recommendation request.

While Applicant acknowledges that col. 22, lines 50-55 explains that users can be assigned attribute weights and that the system can utilize a "distance measure" in the filtering the number of users as well as that the system can use clustering to make the search more efficient (see col. 25, lines 45-62 and col. 26, lines 1-5), step 1205 of Fig. 12 and col. 26, lines 11-17 of HERZ makes clear that the system considers in the computation "relevant feedback from all users" and "considers all subclusters".

As such, it is submitted that HERZ fails to disclose or suggest that the similarity factors of the advisee <u>are not calculated with respect to all users</u> for every individual recommendation request (claim 1).

Applicant reminds the Examiner that this is a significant feature of the invention, as discussed on paragraph [0070] of the instant published application reproduced below:

> [0070] The similarity factors of the advisee do not necessarily need to be calculated with respect to all other users for every individual recommendation request. Of course the current teaching may be combined with a caching approach wherein similarity factors and neighboring users may be temporarily stored within a cache storage. If a next recommendation request has a need for data available within the cache, it could make use of this information (if the information is still up to date) without recomputation. This embodiment of the current invention enhanced by a cache is fundamentally different from the state of the art as it does not rely on the persistently precomputed similarity factors between each pair of users.

Accordingly, Applicant submits that claim 1 is not anticipated by any proper reading of HERZ.

Independent claim 7

In addition to the arguments made of record previously in this case (which are herein incorporated by reference), Applicant submits that HERZ fails to disclose or suggest that the system updates only the similarity factors between neighboring users and an advisee when a new rating is entered for at least one advisee profile and utilizes an algorithm to determine a ranked matching list of the neighboring users.

While Applicant acknowledges that that the system can use an algorithm and clustering to make the search more efficient (see col. 25, lines 45-62 and col. 26, lines 1-5), step 1205 of Fig. 12 and col. 26, lines 11-17 of HERZ makes clear that the system considers in the computation "relevant feedback from all users" and "considers all subclusters".

As such, it is submitted that HERZ fails to disclose or suggest that the system updates only the similarity factors between neighboring users and an advisee when a new rating is entered for at least one advisee profile and utilizes an algorithm to determine a ranked matching list of the neighboring users (claim 7).

Accordingly, Applicant submits that claim 7 is not anticipated by any proper reading of HERZ.

Independent claim 8

In addition to the arguments made of record previously in this case (which are

herein incorporated by reference), Applicant submits that HERZ fails to disclose or suggest that the method determines the similarity factors between the advisee and the neighboring users only for the items of the selected item list.

Again, while Applicant acknowledges that that the system uses clustering to make the search more efficient (see col. 25, lines 45-62 and col. 26, lines 1-5), step 1205 of Fig. 12 and col. 26, lines 11-17 of HERZ makes clear that the system considers in the computation "relevant feedback from all users" and "considers all subclusters" .

As such, it is submitted that HERZ fails to disclose or suggest that the method determines the similarity factors between the advisee and the neighboring users <u>only for the items of the selected item list</u> (claim 8).

Accordingly, Applicant submits that claim 8 is not anticipated by any proper reading of HERZ.

Because at least claims 1, 7 and 8 each recite one or more features not disclosed, or even suggested, by HERZ, and because the Examiner has failed to set forth any prior art which teaches the missing features, Applicant submits that the instant rejection of claims 1-19 should be withdrawn.

35 U.S.C. § 102/103 Rejection

Claims 1-19 were also rejected under 35 U.S.C. § 102(e) as being anticipated by or alternatively as unpatentable over US Patent No. 6,029,195 to HERZ ("HERZ"). Applicants respectfully traverse this rejection at least the reasons already made of record and in view of the above-noted arguments herein incorporated by reference.

Applicant emphasizes that because HERZ appears to teach a system which

evaluates all of the users to determine target objects, this document teaches away from the similarity factors of the advisee not being calculated with respect to all users for every individual recommendation request (claim 1) and/or that the system updates only the similarity factors between neighboring users and an advisee when a new rating is entered for at least one advisee profile and utilizes an algorithm to determine a ranked matching list of the neighboring users (claim 7) and/or that the method determines the similarity factors between the advisee and the neighboring users only for the items of the selected item list (claim 8).

As such, these is no basis for asserting that HERZ inherently discloses the noted features and/or somehow suggests the benefits of doing so.

New Claims are also Allowable

Applicant submits that the new claims 20-32 are allowable over the applied art of record. Specifically, claims 20-31 depend from claims 1 and 8 which are believed to be allowable. Additionally, claims 20-32 recite a combination of features which are clearly not disclosed or suggested by the applied art of record. Accordingly, Applicant respectfully requests consideration of these claims and further requests that the above-noted claims be indicated as being allowable.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to

issue. The Examiner is invited to contact the undersigned at the telephone number

listed below, if needed. Applicants hereby make a written conditional petition for

extension of time, if required. Please charge any deficiencies in fees and credit any

overpayment of fees to Deposit Account No.09-0457.

Respectfully submitted,
Ralf BERTRAM, *et al.*

Andrew M. Calderon
Registration No. 38,093

April 9, 2008
Greenblum & Bernstein, P.L.C.
1950 Roland Clarke Place
Reston, Virginia 20191
Telephone: 703-716-1191
Facsimile: 703-716-1180